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Attorney Docket No. 26979U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SIMANOVSKY

Application No. 10/550,189

Confirmation No.: 7301

Filed: July 13, 2006

Examiner: SIGLER, Jay R.

Title: **IMPLANT FOR TREATING IDIOPATHIC SCOLIOSIS AND A METHOD FOR USING THE SAME**

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Commissioner:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

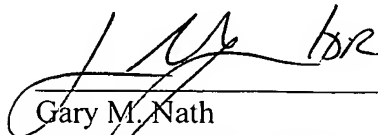
- (1) Transmittal Letter; and
- (2) Response and Amendment under 37 CFR 1.111.

If an Extension of Time under 37 CFR §1.136 is required and has not been separately requested, please consider this Transmittal Letter as including a request for such Extension of Time and as a further authorization to charge any fee for such Extension of Time, as may be required by 37 CFR §1.17, to Deposit Account No. 14-0112. Also, please charge any fee deficiency, or credit any overpayment, in connection with this matter to Deposit Account No. 14-0112.

Respectfully submitted,
THE NATH LAW GROUP

Date: JUNE 3, 2008

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SIMANOVSKY

Art Unit: 3733

Application No. 10/550,189

Confirmation No.: 7301

Filed: July 13, 2006

Examiner: SIGLER, Jay R.

Title: **IMPLANT FOR TREATING IDIOPATHIC SCOLIOSIS AND A METHOD FOR USING THE SAME**

RESPONSE AND AMENDMENT UNDER 37 C.F.R. §1.111

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a full and complete response to the Office Action having a mailing date of March 3, 2008. The three month shortened statutory period to respond to the Office Action was set to expire June 3, 2008, making this response timely-filed. In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments of Deposit Account No. 14-0112.

Amendments to the Claims begin on page 2 of this paper.

Amendments to the Specification begin on page 8 of this paper, and include a substitute specification attached to this response as **Appendix A**.

Remarks begin on page 9 of this paper.